

# Court of Appeals, State of Michigan

## ORDER

People of MI v Geoffrey Lee Brown

Docket No. 264247

LC No. 2005-000413-FH

Henry William Saad  
Presiding Judge

Kathleen Jansen

Pat M. Donofrio  
Judges

The Court orders that the motion to remand is GRANTED to the extent that this matter is REMANDED to the trial court to allow it to substantively decide defendant-appellant's postjudgment motion for new trial.

Acting under MCR 7.211(C)(1)(b), on the trial court's certification that it would grant a new trial, on August 11, 2006, this Court remanded this matter to the trial court to allow that court to hear and decide defendant-appellant's postjudgment motion for new trial. The trial court heard defendant's motion and, rather than grant the motion, again certified to this Court that it would grant a new trial. No such recertification was necessary. We again REMAND this appeal to vest the trial court with the jurisdiction to substantively decide defendant's postjudgment motion for new trial.

**The trial court shall decide the matter within 28 days of the Clerk's certification of this order.** Defendant-appellant is to file with this Court a copy of the trial court's order entered on remand within 14 days after entry.

This Court retains jurisdiction in the cause. Upon the trial court's order substantively resolving defendant's motion for new trial, further proceedings in this appeal shall be pursued as provided in MCR 7.208(B)(5) and (6).

This Court further orders that attorney Lisa Kirsch Satawa (P52675) is ASSESSED COSTS OF \$250 for failure to file with this Court a copy of the motion for new trial that was filed in the trial court on remand. This Court ordered defendant-appellant to file a copy of the motion in its August 11, 2006, order granting remand and its October 12, 2006, order denying stay. A copy of that motion has not been filed with this Court. The assessed costs shall be paid within 21 days of the Clerk's certification of this order. The costs are personal to the attorney and shall not be charged back to the client.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 02 2007

Date

*Sandra Schultz Mengel*  
Chief Clerk